

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RYAN KARNOSKI, et al.,

CASE NO. C17-1297 MJP

Plaintiffs,

ORDER AMENDING JULY 15,
2020 ORDER (DKT. NO. 545)

V.

DONALD J TRUMP, et al.,

Defendants.

THIS MATTER comes before the Court *sua sponte* upon the Court's determination that

Attachment 1 to its July 15, 2020 Order contained an error (Dkt. No. 545). As announced during the Status Conference on July 21, 2021, some documents in the first 350 documents sent to the Court for *in camera* review were erroneously marked “not predecisional” in this Attachment.

In its Order the Court adopted July 13, 2015 through June 30, 2016 as the relevant time frame for considering the Carter policy decisional time-period for purposes of the deliberative process privilege (“DPP”). June 30, 2016 was the date the Carter policy was adopted, and the policy and accompanying RAND Report were released to the public. However, in Attachment 1 of that Order, dates earlier than the June 30, 2016 date were applied, resulting in several documents erroneously

1 marked as "not predecisional." The Court has reviewed the Attachment and all documents that were
2 erroneously marked, which are dated on the privilege log with a date after July 13, 2015 and before
3 June 30, 2016, and has adjusted the ruling on the following documents as further reflected on the
4 Amended Attachment 1.

<u>Priv/Withhold No.</u>	<u>Amended Ruling</u>
3701-04	Presumptively DPP
3705-06	Presumptively DPP
3708-11	Presumptively DPP
3712-32	Presumptively DPP
3733-44	Presumptively DPP
4403-14	Presumptively DPP
4451-56	Predecisional – documents were distributed by Priv/Withhold 4450 dated 07/06/16. No DPP.
4975-5023	Presumptively DPP
5027-75	Presumptively DPP
5761-5762	No DPP. Not deliberative

13 The clerk is ordered to provide copies of this order to all counsel.

14 Dated July 21, 2020.



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16 Marsha J. Pechman
17 United States Senior District Judge
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